



The State of New Hampshire  
**Department of Environmental Services**



February 6, 2007

The Honorable Judith Spang, Chairman  
Resources, Recreation and Development Committee  
Legislative Office Building, Room 305  
Concord, New Hampshire 03301

**Re: HB 458, relative to the exemption of replacement or redundant wells from the large groundwater withdrawal permitting process**

Dear Chairman Spang:

Thank you for the opportunity to comment on HB 458, which would partially exempt new large groundwater withdrawals that are replacing or backing up existing groundwater withdrawals from the large groundwater withdrawal permitting process set forth in RSA 485-C. The Department of Environmental Services (DES) supports this bill.

HB 458 is a result of the work of the Commission to Study Issues Relative to Groundwater Withdrawals. This Commission, with membership from a broad cross-section of stakeholders including DES, was established by Senate Bill 155 of the 2003 legislative session to assess how New Hampshire can improve management of groundwater resources. The Commission concluded that one improvement would be to reduce the approval requirements for wells developed to replace "in-kind" existing wells that have deteriorated or back-up wells that provide additional reliability for public water systems when the new wells result in substantially the same impact as the existing wells.

Most public water supply wells naturally deteriorate to some degree with time. Deterioration is most frequently caused by clogging with sediment, encrustation of well screens, biofouling or structural failure. Deterioration can be a major problem in providing a safe, potable water supply, especially for drinking water wells that serve municipal and other community public water systems. DES encourages public water suppliers to proactively replace older wells when early signs of failure are evident to avoid emergency situations. Similarly, when a community public water system relies on only one or two wells, DES encourages development of redundant wells near the existing well(s) in order to minimize the potential for water supply emergencies caused by mechanical and other problems, such as pump failures.

HB 458 provides a partial exemption for replacement wells from the rigorous requirements for new large groundwater withdrawals but still requires approval by DES. To qualify for approval, the applicant must demonstrate that the *"withdrawal from the replacement well or wells will operate and impact water users and resources in substantially*

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*the same manner as the well or wells that are being replaced."* This condition for approval provides reasonable protection to other water users and the environment while streamlining the approval requirements for replacement wells that serve to improve the overall reliability and integrity of New Hampshire's water supply infrastructure when installed for community public water systems.

Thank you for this opportunity to comment on this bill. Please feel free to call me at 271-3503, or Brandon Kernen at 271-0660, if you have any questions or need additional information.

Very truly yours,



Thomas S. Burack  
Commissioner

cc: Representatives Fargo, Beaulieu, and Brueggemann  
Senator Fuller Clark